



Envision
3-2-04 3714
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PATENT
Attorney Docket No. 401181

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

INAGAKI et al.

Group Art Unit: 3714

Application No. 09/830,415

Examiner: C. Coburn

Filed: August 3, 2001

For: GAME MACHINE WITH STORY
DISPLAY PROVIDING INDICATION
OF THE STATE OF THE GAME

RECEIVED
FEB 13 2004
TECHNOLOGY CENTER R3700

INFORMATION DISCLOSURE STATEMENT

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

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The Information Disclosure Statement is being filed:

- ☐ **within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- ☒ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:
- ☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).
- or*
- ☒ the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

Copies of the References

- ☒ Copies of the references listed on the enclosed Form 1449 are enclosed herewith. Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).

Comments

- ☒ A Response to the outstanding Office Action in the referenced patent application was filed on January 6, 2004. In that Response, certified English language translations of the priority documents for the present patent application were supplied in order to

remove as a reference the commonly assigned U.S. Patent 6,142,874 to Kodachi et al. By perfecting the priority claim of the present patent application, Kodachi can be prior art only pursuant to 35 U.S.C. 102(e). However, in view of the common assignment of the present patent application and Kodachi, pursuant to 35 U.S.C. 103(c), Kodachi is not prior art because it would qualify only under subsection (e) of 35 U.S.C. 102 as prior art.

Out of an abundance of caution, the present Applicants are submitting with this Information Disclosure Statement Japanese Patent Application 10-146407 and the published patent application, JP-2000-42204 that corresponds to the Japanese patent application (JP 10-146407) from which Kodachi, the U.S. patent, claims priority pursuant to 35 U.S.C. 119. With regard to the foreign priority claimed, Kodachi actually filed that Japanese patent application and subsequently filed another Japanese patent application (JP 10-343330) on December 2, 1998 claiming domestic priority of the earlier Japanese patent application (JP 10-146407) filed May 27, 1998. It is the later filed application that was published. The U. S. patent to Kodachi, essentially, claimed priority of both of those Japanese patent applications and was filed within one year of the earlier-filed Japanese patent application. The publication of the Kodachi application occurred in Japan on February 15, 2000, after the filing date in Japan of the patent applications from which the present patent application claims priority.

The present U.S. patent application is a national phase of a PCT patent application filed August 24, 2000. However, the effective filing date of that U.S. application is now August 31, 1999 in view of the perfection of the priority claim of the PCT application that designated the United States. It is for that reason that it is believed the attached documents are not prior art to the present patent application. However, the Examiner is invited to make an independent analysis of these facts to determine if the publications are prior art under U.S. law, and, if so, what the effect might be, considering the perfection of the priority claim of the present patent application.

- ☐ A copy of the foreign search report is enclosed herewith.
- ☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

Statement under 37 CFR 1.97(e)

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR 1.704(d)

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees

- ☐ No fee is owed by the applicant(s).
- ☒ The **IDS Fee of \$180** under 37 CFR 1.17(p) is enclosed herewith.

Method of Payment of Fees

- ☐ Attached is a check in the amount of \$.
- ☒ Charge Deposit Account No. 12-1216 in the amount of \$180.00. (A duplicate copy of this communication is enclosed for that purpose.)

Authorization to Charge Additional Fees

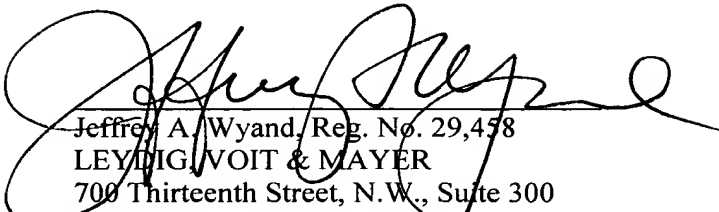
- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

In re Appln. of INAGAKI et al.
Application No. 09/830,415

Instructions as to Overpayment

☒ Credit Account No. 12-1216.
☐ Refund

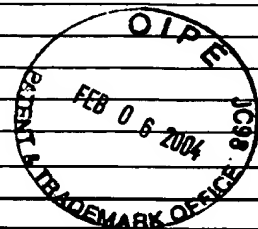
Respectfully submitted,


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Date: February 10, 2004
JAW:ves

Please type a plus sign (+) inside this box → +

Substitute for form 1449A/B/PTO <h2 style="text-align: center; margin: 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center; font-size: small;">(Use as many sheets as necessary)</p>				Complete if Known	
Application Number		9/830,415			
Filing Date		August 3, 2001			
First Named Inventor		INAGAKI			
Group Art Unit		3714			
Examiner Name		C. Coburn			
Attorney Docket Number		401181			
Sheet	1	of	2		



FOREIGN PATENT DOCUMENTS								
Examiner Initials	Doc. No.	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	Translation	
		Office	Application or Patent Number	Kind Code			Yes	No**
	D 1	JP	2000-042204		Aruze Corp.	2/15/00		X+
	D 2		10-146407		Aruze Corp.			
Not Considered								

Examiner Signature	Date Considered
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- * A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).
- + An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).